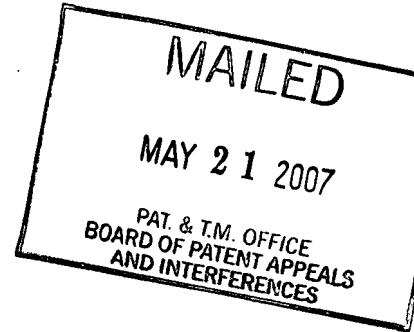


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DAVID CARROLL CHALLENER

Application No. 10/016,792



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on April 24, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:

On October 9, 2006, appellant filed an Appeal Brief. A review of the file reveals that claims 6, 17, and 23 in the appendix of the Appeal Brief are not consistent as amended in the Amendment filed on June 6, 2006. Appropriate correction required.

Accordingly, it is

ORDERED that the application is returned to the Examiner for correction of the Appendix, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: *Patrick J. Nolan*
PATRICK J. NOLAN
Deputy Chief Appeals Administrator
(571) 272-9797

PJN/dal

ROBERT A. VOIGT, JR.
WINSTEAD SECHREST & MINICK PC
P.O. BOX 50784
DALLAS, TX 75201